

TITLE: MOTOR VEHICLE PURSUIT**CODIFIED: 75.1****EFFECTIVE: 07/23/04****RESCINDS/AMMENDS: G 6****PAGES: 4****PURPOSE**

The purpose of this directive is to provide guidelines and delineate responsibilities governing pursuit of motor vehicles and emergency driving.

DISCUSSION

It is the intent of this policy to specify the conditions under which an officer may engage in a high speed pursuit and the conditions when the officer shall terminate a high speed pursuit.

POLICY AND PROCEDURE

It is the policy of the Santa Fe Police Department to pursue under the following circumstances and conditions:

DEFINITIONS**75.1.01 Vehicular Pursuit:**

- A. Active attempts by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.

75.1.02 Authorized emergency vehicle:

- A. A vehicle of this agency equipped with operable emergency equipment as required by state statute (66-7-6 NMSA 1978 as amended). Police vehicles that do not meet the statutory requirements for an authorized emergency vehicle shall not initiate or join a pursuit in progress.

75.1.03 Primary unit:

- A. The police unit, which initiates a pursuit or any unit, which assumes control of the pursuit.
- B. The primary pursuit vehicle will handle all communications relating to direction of travel, suspects, descriptions and all matters relating to the actual pursuit. This shall not restrict the supervisor from giving instructions or other information directly to the primary vehicle, the secondary vehicle or the Communications Center.
- C. The primary unit shall not be passed during the pursuit unless authorized by the primary pursuit unit and/or the supervisor in charge.

75.1.04 Secondary Pursuit Unit:

- A. Assisting/secondary pursuit units shall:
 1. Engage all emergency equipment.
 2. Notify communications of his/her identity.
 3. Pursue at a safe distance for back-up purposes.
 4. Upon visual contact with the primary pursuit vehicle assume radio transmissions responsibility, allowing the primary unit to devote full attention to driving.
 5. In the event that a secondary unit must pass the primary unit to assume the primary position, the officer shall notify the primary unit of his/her intent to pass, via police radio. Passing will only take place when it is safe to do so and only when it does not require movement into oncoming lanes of traffic.
 6. Exercise due care and caution to protect lives, property and public safety. To assure this end, secondary units are to proceed at the minimum response level that will still allow effective assistance to the primary unit.

PROCEDURES**75.1.05 Initiation of pursuit:**

- A. A law enforcement officer may initiate a high speed pursuit to apprehend a suspect who the officer has reasonable grounds to believe poses a

clear and immediate threat of death or serious injury to others or who the officer has probable cause to believe poses a clear and immediate threat to the safety of others that is ongoing and that existed prior to the high speed pursuit;

- B. A law enforcement officer shall not initiate or continue a high speed pursuit when the immediate danger to the officer and the public created by the high speed pursuit exceeds the immediate danger to the public if the occupants of the motor vehicle being pursued remain at large;
- C. When deciding whether to initiate or continue a high speed pursuit, the following factors, at a minimum, shall be taken into consideration:
 1. the seriousness of the offense for which the high speed pursuit was initiated;
 2. whether a suspect poses a clear and immediate threat of death or serious injury to others;
 3. road, weather, environmental and vehicle conditions;
 4. the amount of motor vehicle and pedestrian traffic; and
 5. knowledge of the suspect's identity, possible destination and previous activities that may make apprehension at a later time feasible; and
 6. No more than two law enforcement vehicles shall become actively involved in a high speed pursuit, unless specifically authorized by a supervisor.

PURSUIT OPERATIONS

75.1.06 NMSA 1978 section 66-7-6 authorizes emergency vehicle to deviate from adherence to the state traffic code. However, it does not relieve the driver of an authorized emergency vehicle from the duty to drive with the due regard for the safety of others. This statutory privilege is also conditional, based upon the existence of an actual emergency, use of adequate warning devices, and the continued exercise of due care and caution for the safety of others.

75.1.07 Upon engaging in a pursuit, the pursuing vehicle shall activate all appropriate warning equipment, to include the siren. The driver of an unmarked vehicle or a police vehicle without roof mounted light bars shall insure all standard installed emergency equipment is utilized. Santa Fe Police Department motorcycles shall insure all emergency equipment is activated.

75.1.08 Upon engaging in pursuit, the officer shall notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The officer shall keep communications updated on the pursuit. Communications personnel shall notify any available supervisor of the pursuit, clear the primary radio channel of non-emergency traffic, and relay necessary information to other officers, agencies and jurisdictions.

75.1.09 When engaged in pursuit, officers shall not drive with reckless disregard for the safety of other road users or pedestrians.

75.1.10 Unless circumstances dictate otherwise, a pursuit shall consist of no more than two police vehicles, a primary and a secondary unit. All other personnel shall stay clear of the pursuit unless instructed to participate by a supervisor.

75.1.11 The primary pursuit unit shall become the secondary unit when the fleeing vehicle comes under air surveillance or when another unit has been assigned primary responsibilities. This would apply to marked police vehicles assuming primary duties from an unmarked police vehicle or a police motorcycle.

SUPERVISORY RESPONSIBILITIES

75.1.12 When made aware of a vehicular pursuit, the appropriate supervisor shall monitor incoming information, coordinate and direct activities as needed to ensure the proper procedures are being used, and shall have the discretion to terminate the pursuit.

75.1.13 Where possible, a supervisory officer shall respond to the location where a vehicle has been stopped following a pursuit.

PURSUIT TACTICS

75.1.14 Officers shall not follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.

75.1.15 Patrol units having the most prominent markings and emergency lights shall be used as the primary and secondary units. Unmarked units and motorcycle units may pursue vehicles as a primary unit only until the arrival of a marked unit, if they meet the statutory requirements of an authorized emergency vehicle.

75.1.16 The motorcycle or unmarked unit will continue as the secondary unit until an additional marked unit arrives. Upon the arrival of the marked unit, the operator of the unmarked vehicle or motorcycle shall terminate their involvement in the pursuit.

75.1.17 All intervention tactics, short of deadly force, such as spike strips, low speed tactical intervention techniques, and low speed channeling (with appropriate advance warning) should be used in areas where deployment of these tactics can be done in a reasonably safe manner, without unnecessarily endangering life or property. The tactic(s) should be commensurate to the actions of the person being pursued and the violation the person is being pursued for. Only those individuals who are properly trained in these individual techniques shall be authorized to implement the tactic(s) in order to attempt to stop a pursued vehicle.

75.1.18 Use of roadblock, ramming or boxing in a suspect vehicle, shall be governed by this agency's use of force policy and shall not be utilized without specific technical training and supervisor approval.

75.1.19 Once the pursued vehicle is stopped, officers shall utilize appropriate officer safety tactics and shall be aware of the necessity to utilize only reasonable and necessary force to take suspects into custody.

TERMINATION OF THE PURSUIT

75.1.20 The primary pursuing unit shall continually re-evaluate and assess the pursuit situation including all of the initiating factors and terminate the pursuit whenever he or she reasonably believes the risks

associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.

75.1.21 The pursuit may be terminated by the primary pursuit unit at any time.

75.1.22 A supervisor may order the termination of a pursuit at any time.

75.1.23 A pursuit may be terminated if visual contact with the suspect vehicle is lost for more than ten (10) seconds, suspect's identity has been determined, immediate apprehension is not necessary to protect the public or officers, or apprehension at a later time is feasible.

INTER-JURISDICTIONAL PURSUITS

75.1.24 The pursuing officer shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county or state line. The supervisor controlling the pursuit shall direct radio dispatch to initiate coordination and request for assistance with the agencies of jurisdiction and relay the information to pursuing units as soon as possible.

75.1.25 Pursuit into a bordering state shall conform to the law of both states and any applicable inter-jurisdictional agreements.

75.1.26 When a pursuit enters this jurisdiction, the action of officers shall be governed by the policy of the officers' own agency, specific inter-local agreements and state law as applicable. Assistance with the pursuit will be accomplished in accordance with this pursuit policy after receiving supervisor approval.

AFTER – ACTION REPORTING

75.1.27 Whenever an officer engages in a pursuit, the officer shall file a written report on the appropriate form detailing the circumstances of the pursuit. This report shall be critiqued by the appropriate supervisor and the pursuit review committee to determine if policy has been complied with and to detect and correct any training deficiencies.

75.1.28 The department shall periodically analyze police pursuit activity and identify any additions, deletions or modifications warranted in departmental pursuit procedures.

TRAINING

75.1.29 Officers who drive police vehicles shall be given initial and periodic update training in the agency's pursuit policy, emergency driving techniques and safe driving tactics.

Revised wdn/4-29-04

APPROVED: _____


BEVERLY K. LENNEN
Chief of Police

DATE: 07-23-04